

DOCKET NO. 8971-017-27



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE

ART UNIT: 1634

APPLICATION OF: Duncan W. McBRANCH, et al.

SERIAL NO.: 09/934,680

EXAMINER: Frank Wei Min Lu

FILING DATE: August 23, 2001

FOR: PEPTIDE NUCLEIC ACID BASED MOLECULAR SENSORS FOR NUCLEIC ACIDS

NOTICE OF APPEAL

ASSISTANT COMMISSIONER FOR PATENTS

PO BOX 1450

ALEXANDRIA, VA 22313-1450

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated November 24, 2004.

The items checked below are appropriate:

☐ A Request for Extension of Time Under 37 C.F.R. 1.136 was filed for ____ months.

☐ A timely response to the final rejection was filed on February 24, 2005.

☒ A Request for Extension of Time for filing the Notice of Appeal is attached.

Fee: ☐ \$500.00 (large entity) ☒ \$250.00 (Applicant claims small entity status.)

☒ Is enclosed.

☐ Please charge Deposit Account No. 50-1442 (an additional copy of this Notice is enclosed).

☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 50-1442. A duplicate copy of this Notice is enclosed.

☒ If this Notice is not considered timely by the U.S. Patent and Trademark Office, then a request is hereby made under 37 C.F.R. 1.136, and any additional fees required for any necessary extension of time may be charged to Deposit Account No. 50-1442. A duplicate copy of this Notice is enclosed.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP

Steven B. Kelber

Registration No. 30,073

Attorney of Record

Christopher W. Raimund

Registration No. 47,258

03/25/2005 MGBREM1 00000030 09934680

02 FC:2401

250.00 DP

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085